

REMARKS

Claims 5-9,19-20, 29-32, 35-36 have been withdrawn, but may be reinstated if found dependent on an allowable base claim. Claims 1, 2, 4, 10-18, 21-28 and 37-41 remain pending and under consideration.

Non-Compliance with 35 U.S.C. 121

On January 3, 2006, a non-final Office Action was issued on the merits of the referenced application. In a response filed on March 17, 2006, applicant amended claims 1, 2, 18, 22, 27 and 28, and added new claims 37-41.

Applicant initially failed to identify the specie on the new claims, resulting in the May 22, 2006 Advisory Action. Applicant's May 30th, 2006 response to this advisory action inadvertently submitted an earlier claim set with the response, resulting in the August 23, 2006 Advisory Action. Applicant's September 9th, 2006 response updated the status of claims 1, 2, 18, 22, 27 and 28 from "currently amended" to "previously presented."

By the Advisory Action of December 12, 2006, Applicant was notified that the claim status of claims 1, 2, 18, 22, 27 and 28 should have remained "Currently Amended" until applicant's Amendments and Remarks of March 17, 2006 had been reviewed on their merits and acted on by the Examiner.

By the attached Claim Listing, the claim status and associated claim "mark-ups" have been restored to the claim status set forth in the March 17 2006 Amendment and Response.



Conclusion

Applicant submits that all pending claims are properly identified and in condition for allowance. If a telephone interview would be helpful in any way, the examiner is invited to call the Applicant's attorney at the phone number listed below.

Respectfully submitted

Dated: _____

Jan 10, 2007

By: _____

A handwritten signature in black ink, appearing to read "R. R. Shea", written over a horizontal line.

Ronald R. Shea
PTO Reg. No. 45,098
408-499-9741